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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 ROBERT SMITH, JR., ) CASE NO.: C07-0166-RSL-MAT  
09 )  
Petitioner, )  
10 )  
v. ) ORDER DENYING PETITIONER'S  
11 ) MOTION FOR APPOINTMENT OF  
BELINDA STEWART, ) COUNSEL; GRANTING  
12 ) RESPONDENT'S MOTION FOR  
Respondent. ) EXTENSION OF TIME  
13 )

14 Petitioner has filed a petition for a writ of habeas corpus challenging a decision by the  
15 Indeterminate Sentence Review Board denying petitioner parole in 2005. Petitioner has filed  
16 several motions for appointment of counsel which the Court has denied. (Dkt. Nos. 17, 23).  
17 Petitioner now renews his request that the Court appoint him counsel. (Dkt. No. 34). In addition,  
18 respondent has filed a motion seeking an extension of time to file a reply to petitioner's response  
19 to respondent's answer. Having reviewed the motions and the balance of the record, the Court  
20 does hereby ORDER as follows:

21 (1) Petitioner does not cite any new grounds that would compel the Court to change  
22 its previous rulings denying his request for appointment of counsel. Accordingly, petitioner's third

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01 motion for appointment of counsel (Dkt. No. 34) is DENIED.

02       (2)     Counsel for respondent cites reasonable grounds for a short extension of time to  
03 file a reply. Therefore, respondent's motion (Dkt. No. 33) is GRANTED. Respondent shall file  
04 a reply no later than **January 16, 2009**. The Clerk shall REOTE petitioner's habeas petition for  
05 consideration by the Court on **January 16, 2009**.

06       (3)     The Clerk is directed to send a copy of this Order to petitioner, to counsel for  
07 respondent, and to the Honorable Robert S. Lasnik.

08       DATED this 5th day of January, 2009.

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11 Mary Alice Theiler  
12 United States Magistrate Judge  
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